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10 Attorneys for Non-Party  
11 RESTORE ROBOTICS LLC

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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

18 SURGICAL INSTRUMENT SERVICE  
19 COMPANY, INC.,

20 Plaintiff/  
21 Counterclaim-Defendant

22 vs.

23 INTUITIVE SURGICAL, INC.,

24 Defendant/  
25 Counterclaim-Plaintiff.

26 Lead Case No. 3:21-CV-03496-AMO  
27 Hon. Araceli Martínez-Olgún  
28 Courtroom 10

**DECLARATION OF CLIFTON  
PARKER IN RESPONSE TO  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER  
ANOTHER PARTY'S  
MATERIALS SHOULD BE  
SEALED – RESTORE  
ROBOTICS (ECF No. 153)**

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1 I, Clifton Parker, declare as follows:

2 1. I am over the age of eighteen years old and am the chief executive  
3 officer for non-party Restore Robotics LLC and its successor Restore Robotics  
4 Repairs LLC (collectively “Restore”). Restore is a small private company in the  
5 business of reselling, repairing, and remanufacturing EndoWrists for use with the  
6 da Vinci Surgical System. Restore has settled its own legal dispute with Intuitive  
7 and has no interest in the cases pending in this district. Unless otherwise indicated,  
8 I state the following of my own personal knowledge and, if called upon to do so, I  
9 could and would testify competently to the following.

10 2. Pursuant to Civil Local Rules 7-11 and 79-5(f), Restore submits this  
11 declaration in response to Plaintiff’s ADMINISTRATIVE MOTION TO  
12 CONSIDER WHETHER ANOTHER PARTY’S MATERIALS SHOULD BE  
13 SEALED – RESTORE ROBOTICS (ECF No. 153). Based on my review of the  
14 materials provided by Plaintiff, I understand that the instant motion includes  
15 confidential information that is the subject of multiple administrative motions filed  
16 previously by the parties. I hereby reference and incorporate the prior declarations  
17 filed in response to those motions. Restore maintains that there are compelling  
18 reasons for maintaining the confidentiality of that information.

19 3. Restore has also completed a review of the redactions in the instant  
20 motion and asks the Court to permit the limited redactions to Restore’s  
21 competitively sensitive information because publication would reveal its business  
22 plans, research processes, product development, production methods, regulatory  
23 strategies, and internal finances. Consistent with industry practice, Restore has  
24 always maintained its competitively sensitive information within a closely held  
25 group of individuals on a need-to-know basis. Restore has invested significant  
26 manpower and monetary investment in developing its business, including research  
27 processes, production methods, testing protocols, and regulatory strategies and  
28 customer, vendor, distributor, and partner relationships. Disclosure would give

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1 substantial assistance to potential competitors – allowing them to avoid potentially  
 2 years of time and millions of dollars required to their launch their own business to  
 3 compete with Restore. Thus, there are compelling reasons for maintaining the  
 4 confidentiality of that information with the very limited redactions identified in the  
 5 table below.

6	7 Expert Report of Kurt Humphrey 8 Pages 13-14	9 Business Plans 10 Research Processes
11	12 Expert Report of Dr. T. Kim Parnell (March 1, 13 2023) 14 Pages 110-111 15 Restore-00086093 – Restore-00086120	16 Testing Protocols Production Methods 510(k) Submission Regulatory Strategy 17 <b>* See ECF No. 140 at 6 and ECF No. 140-2.</b>
18	19 Expert Report of Dr. T. Kim Parnell (March 1, 20 2023) 21 Page 112	22 Production Methods
23	24 Deposition of Clifton Parker (October 25, 2022) 25 Pages 141-142	26 Business Plans Research Process Product Development

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1	Deposition of Kevin May (November 3, 2022)	Business Plans
2	Page 60	
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6	Deposition of Kevin May (November 3, 2022)	Business Plans
7	Pages 75-76	Internal Finances
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10	Deposition of Kevin May (November 3, 2022)	Business Plans
11	Pages 89-90	Research Process
12		Product Development
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14		
15	Deposition of Kevin May (November 3, 2022)	Business Plans
16	Pages 89-90	Research Process
17		Product Development
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22       4.     Restore has not disclosed the documents and information above to any  
 23     third party because it would allow competitors to make use of Restore's extensive  
 24     efforts to resell, repair, and remanufacture EndoWrists. Disclosure would provide  
 25     competitors with a significant head start in their own efforts. Moreover, disclosure  
 26     of some information would reveal internal finances of a private company that have  
 27     no bearing on the litigation.

1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

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4 Executed: May 11, 2023

  
5 Clifton Parker

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